IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 178 OF 2001

IN

SUMMARY SUIT NO. 4396 OF 2000

M/s. R.K. Swamy/BBDO Advertising Ltd .....**Plffs.**
vs.
Modern Denim Ltd .....**Defnds.**

Kinjal Haria i/b. J.S. Kini for the plffs.

Bhavini Gade i/b. C.R. Naidu and Co. for the defnds.

CORAM: S.U. KAMDAR, J.

DATE : 20th September, 2005.

P.C. :.

1. Learned counsel for the plaintiff states that in view of the fact that the defendant company is in BIFR it seeks leave to withdraw the Summons for Judgment with liberty to take out a fresh Summons for Judgment after the company comes out of the BIFR.

2. Summons for Judgment is dismissed as withdrawn with the aforesaid liberty.

3. The defendants are directed to inform the plaintiffs advocate as well as the Prothonotary and Senior Master, High Court about the status of the proceedings before the BIFR every six months and if any final order is passed then such order to be communicated within 15 days from the passing of the said order.

sd/-

****